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SUBJECT: EMBASSY CAIRO SUBMISSION FOR 2008 TIP REPORT

REF: SECSTATE 2731

Sensitive but unclassified, not for Internet distribution.

¶1. (SBU) This message responds to reftel. Embassy POC is poloff Aaron Berman, phone 20-2-2797-2550, fax 20-2-2797-2181, bermanad@state.gov. Pol LES spent approximately 75 hours on TIP-related activities and in preparation of the TIP report. Poloff spent approximately 160 hours; ECPO Minister Counselor spent 40 hours; DCM spent 20 hours. The GoE POC for TIP is Deputy Assistant Foreign Minister for Human Rights Wael Aboul Magd, 20-2-2574-9677. Information in this report was gleaned from bilateral meetings, other diplomatic contacts, press reporting, and documents provided by the GoE. The following input is keyed to the questions in reftel paragraphs 27-30.

Overview  
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¶A. Egypt is neither a country of origin or destination for a significant number of trafficking victims. An unknown number of trafficking victims transit Egypt en route to other destinations, notably Israel and Europe. There are currently no reliable statistics available in Egypt for the magnitude of the problem.

Italy is the destination for significant numbers of illegal Egyptian economic migrants. Israel is also a destination for African economic migrants. Local media reported extensively on illegal migration, including on deaths of attempted migrants and Egyptian government prosecution of migrant smugglers, throughout the reporting period.

International media and anti-trafficking organizations have reported that young women may be forced by into temporary marriages with men visiting from the Gulf, particularly during the summer, and may also be trafficked into domestic servitude or forced marriages in the Gulf. However, no reliable statistics are available to quantify the extent of this phenomenon.

¶B. The most commonly mentioned trafficking scenario involves young women from Eastern Europe arriving in Egypt by air, especially in the Red Sea resorts of Sharm el-Sheikh and Hurghada. The women then travel overland, often with the facilitation of Bedouin smugglers, across the border into Israel where they are presumed to be employed in that country's sex industry.

On November 11, an Israeli government report claimed that smuggling of drugs and women for prostitution from Egypt to Israel had dramatically declined, noting that no women were caught being smuggled into Israel to serve as prostitutes in the first nine months of 2007. We assess that such a decline would correlate with a corresponding decline in trafficking victims transiting Egypt.

However, the head of the shelter for victims of women trafficking in Israel Ruth Davidovich claimed in response to the Israeli government

report that some 30 women were currently staying at the shelter, and that most of them were smuggled through the Egyptian border. Additionally, on March 12, Egyptian police detained four Russian women while attempting to cross into Israel to find work in nightclubs. The four women were handed over to the Russian embassy in Cairo for deportation. An Associated Press article from March 12 reported that between 5,000 and 10,000 women work involuntarily in Israel's sex trade, according to Amnesty International many of them are victims of human trafficking.

1C. In July 2007, the Prime Minister's office issued a decree establishing the "National Coordinating Committee to Combat and Prevent Trafficking in Persons." The committee's responsibilities include drafting national action plans for combating TIP, preparing annual reports on national efforts pertaining to TIP, revising TIP-related national legislation, communicating with different entities on the issue, recommending procedures to assist TIP victims, and developing anti-trafficking awareness campaigns. The committee has met twice since its establishment.

On December 30, 2007, the National Council for Childhood and Motherhood (NCCM) - an Egyptian governmental organization that has the lead for assisting children and mothers - announced the establishment of a special anti-trafficking unit. This measure came in parallel with the launching of First Lady Suzanne Mubarak's awareness campaign entitled "End Human Trafficking Now," calling for adopting a set of ethical principles in the business community and strengthening and raising international law enforcement cooperation.

Mrs. Mubarak also addressed the first United Nations global forum against human trafficking in Vienna on February 13, 2008. She emphasized that the most effective way to combat trafficking is to "break the wall of silence around it," and noted that Egypt is developing victim protection services and revising the Egyptian legal system with specific statutes against trafficking in persons.

1D. Limitations on the government's ability to address TIP include budgetary constraints, geographical limitations and treaty restrictions on infrastructural improvements and troop numbers along the Egyptian-Israeli border, under the Camp David Accord. Furthermore, there is a lack of reliable statistics on the extent of any trafficking problem, as well as a lack of consistent understanding of the definition of trafficking at both the societal and official level.

1E. Egypt provided statistics on arrests and prosecutions of trafficking cases under current law for the February 2008 UN forum against trafficking in Vienna. Those statistics indicated that Egyptian authorities investigated 102 cases that may have involved elements of trafficking in persons from 2003 till 2007, including 73 cases involving facilitation of prostitution and exploitation and seven cases of abusing or forcing children into begging. We note, however, that the Egyptian definition of trafficking in persons may not match the international definition or the U.S. definition, which are different, and we cannot vouch that all 102 cases cited actually involve trafficking offenses.

#### Investigation and Prosecution of Traffickers

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1A. There is no specific Egyptian law prohibiting trafficking in persons per se. Egyptian Ministry of Justice and Ministry of Foreign Affairs officials have told us that they plan to draft new anti-trafficking legislation to remedy any gaps in existing legislation. This legislation is not expected in the current session, which ends in July 2008.

Current provisions in the penal code against rape, abduction, prostitution, and forced labor, are used to prosecute traffickers. The maximum penalty for rape is life imprisonment. Also, slavery is illegal under Egyptian law.

The prescribed penalties for rape or forcible sexual assault range from a minimum of three years to life imprisonment with hard labor. The actual penalty imposed depends on a number of factors including the ages of the victim and the perpetrator as well as their

relationship. Prostitution is illegal and the activities of prostitutes, as well as of brothels, are criminalized. The government generally enforces laws against prostitution.

With the full backing of Mrs. Mubarak, the NCCM has drafted amendments to Egypt's 1996 child protection law that strengthens anti-trafficking provisions in regards to children. The new bill will be submitted during the current parliamentary session. The law notes specifically that "the child shall be protected against trafficking, sexual harassment, exploitation, sexual, emotional, and physical abuse." It specifically delineates a penalty of at least five years in prison and a fine of at least LE 50,000 (USD 8,993) for anyone who "presents for purchasing, receives, or delivers a child in order to be treated as a slave or with the intention of usage in unlawful commercial or sexual exploitation or any other illegitimate purposes." A new section on child labor forbids children working under age 15, or being trained under age 13, and defines humane working conditions. Those in violation are subject to fines beginning at LE 200 (USD 36), doubling for each violation, and any who "endanger the life of a child," which includes exposing a child to "abuse, violence, exploitation, or displacement," incurs a sentence of at least three months in prison. The new law increases the minimum age of marriage for girls from 16 to 18, and the age of consent is already defined to be 18.

Additionally, local press reported on February 7 that the Suggestions and Complaints Committee of the People's Assembly will begin discussing adding two new legal provisions that criminalize selling of children and set penalties ranging from temporary imprisonment to life sentence with hard labor.

B. According to the Anti-Prostitution law from 1961, the penalty for sexual exploitation varies between one and three years imprisonment.

Exploitation of a victim under the age of 21 carries a penalty of one to five years of imprisonment, and the use of any means for coercion, threat or abuse of the victim to sexually exploit him/her, carries one to seven years.

C. Egypt is a signatory of ILO convention 182 concerning prohibition of the worst forms of child labor. Egypt is also a party to the Convention on the Rights of the Child (with a reservation regarding adoption) ILO Convention 29, and ILO Convention 105. Egypt is also a signatory to the Protocol to Prevent, Suppress, and Punish Trafficking in Persons supplementing the UN Convention Against Transnational Organized Crime.

D. Rape is criminalized under the Egyptian Penal Code with a minimum of three years imprisonment. In cases of rape by guardians, perpetrators may face up to a life sentence with hard labor. In cases of rape and abduction the penalty may be up to life in prison, and up to capital punishment in the case of rape and abduction under armed threat.

E. Prostitution is illegal, activities of prostitutes are criminalized, and laws are generally enforced.

F. On November 12, 2007 local media reported that Egyptian police arrested Mahmoud Al Agnaby for imprisoning five boys and a girl aged between 12 and 19, repeatedly sexually assaulting them, and for two years forcing them to beg in the streets.

In February 2005, a criminal court in South Sinai convicted Talal Soliman of attempting to smuggle five Russian (and/or Moldovan) women to Israel. Soliman was sentenced to 3.5 years in prison. According to press accounts, Sinai police in July 2003 had sought to detain Soliman when he was transporting the Eastern European women from south Sinai to Israel. Soliman opened fire on the police and wounded one of them before he was detained.

According to a Cairo-based Russian diplomatic source (2005 information), in September 2002, three Moldovan women were abducted from a hotel in Sharm el-Sheikh by Bedouin who raped them and apparently tried to transport them to Israel. One of the victims escaped and informed Egyptian police who successfully rescued the other two victims and arrested the perpetrators. According to the Russian, the perpetrators were eventually convicted and received 25-year sentences.

See section E of the Overview on Egyptian authorities' investigations of cases with a trafficking element.

¶G. The Government does not currently provide specialized training in how to recognize, investigate, or prosecute instances of trafficking. The Government advises that instances of trafficking rarely come to its attention, but has explicitly requested from the U.S. any information that could identify such instances in Egypt. The Government has accepted training, planned for April - May, 2008, from the International Center for Missing and Exploited Children to train prosecutors on combating sexual exploitation of children via the Internet.

¶H. The Government is not currently known to be involved in any international investigations of trafficking cases.

¶I. The Government is not known to have ever extradited persons charged with trafficking to face prosecution in other countries. However, in 2003 an Egyptian court convicted Moataz Attiya Mohammad Hassan, a.k.a. Abu Qusay of manslaughter and aiding illegal immigration for his role in the deaths of 353 persons trying to reach Australia when their boat sank. In that case, the Government requested the defendant's extradition from Indonesia, which was granted.

J-K. There is no evidence of Government or government officials' involvement in or tolerance of trafficking. However, the sale of child brides, while illegal, has been reported in the local media and is thought to be widespread.

¶L. There is no indication that Egyptian troops participating in international peacekeeping missions have been involved in human trafficking.

¶M. Although international media and anti-trafficking organizations have reported that sex tourism exists in Egypt, there are no reliable statistics on the phenomenon. We know of no prosecutions or deportations of foreigners regarding sex tourism.

#### Protection and Assistance to Victims

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A - I. The Government reported that its consular and immigration officials, at home and abroad, have been instructed to be on the alert for possible instances of illegal migration and fraudulent travel, which would include trafficking. However, the Government does not currently have any programs for victim assistance or specialized training for personnel in identifying trafficking victims. Government agencies that are involved in combating trafficking are the border police, immigration, and customs inspectors, overseen by the State Security Investigations Service and ultimately by the Ministry of Interior. Officials responsible for consular affairs or tourism can also become involved in responding to suspected trafficking cases. The Government does not currently make special provisions for victims' participation in prosecutions or for protection of victims as witnesses, nor does it provide specialized training in trafficking to government officials.

The NCCM's new anti-trafficking unit is exploring how to provide services to child victims of trafficking. The NCCM and Ministry of Social Solidarity already run extensive services for street children and child victims of abuse.

#### Prevention

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¶A. The Government acknowledged that some trafficking victims may transit Egypt, but reports that it is not currently aware of information that suggests a significant flow of such persons. In January 2008, NCCM head Ambassador Moushira Khattab stated that Egypt is "not in the red zone for child trafficking, and it neither imports nor exports this phenomenon." In November 2007, the Minister of Interior denied the existence of child trafficking in Egypt, but confirmed that the Ministry is working on combating illegal groups that work towards "corrupting and abusing children."

Terminology continues to cause confusion. Government officials will often deny that "trafficking" exists, but when asked about specifics

will acknowledge that isolated cases occur, such as of temporary or forced marriages. Even so, all say that trafficking is not a systemic problem in Egypt.

¶B. In July 2007, state-owned television began airing public service announcements on labor trafficking, free of charge. The inter-ministerial committee is in the planning stages of a more extensive public awareness campaign, to include mass media and "town hall" type meetings.

¶C. Egyptian civil society is not focused on TIP, though at least one Egyptian NGO has expressed interest in beginning to monitor and document trafficking cases. Many civil society contacts tell us that Egypt, where 40 percent of the population lives on less than \$2 per day, simply faces more pressing social problems than trafficking. Egyptian human rights and women's NGOs informed us they are not aware of a significant trafficking problem in Egypt. However, many NGOs, with the full support of the government, work on children and women's protection. On human rights and related matters, Egyptian civil society has a sometimes contentious relationship with the GOE.

¶D. The Government devotes significant resources to patrolling and policing its borders, particularly the Sinai desert border with Israel. The Government does not currently have a specific program to monitor migration and travel patterns for evidence of trafficking, although it exerts robust efforts to combat illegal migration and alien smuggling. In particular, since the October 7, 2004 terror bombings in Sinai, which killed 34 people, the Government has made a concerted effort to increase security in Sinai, especially with regard to alleged illegal activities by the Sinai Bedouin tribes. In November 2006, for example, the Middle East News Agency reported that government security forces were engaged in a "massive crackdown operation in north Sinai" against suspected terrorist and criminal elements.

E-F. The newly established inter-ministerial National Committee for Combating and Preventing Trafficking in Persons, chaired by the Ministry of Foreign Affairs, coordinates between Egyptian government agencies and is charged with drafting a national action plan. Currently it is focused on arresting and prosecuting traffickers under current laws, drafting new, comprehensive anti-TIP legislation, and raising public awareness.

¶G. Egypt attends the annual meeting of the International Tourism Organization task force on sex tourism, but we are aware of no other actions to reduce the demand for commercial sex tourism.

¶H. N/A

¶I. Please see L under "Investigation and Prosecution."

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